

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Mark Cardenas	99-1421 JRT/FLN
Pamela Muldoon	99-1422 JRT/FLN
Rene Masinda	99-1576 JRT/FLN
Nicole Plocher	99-1577 JRT/FLN
Terry Struzyk	99-1736 JRT/FLN
William Spears	99-1786 JRT/FLN
Mary Jane Mayer	99-1789 JRT/FLN
Marc Peacock	99-1796 JRT/FLN
Chadwick Holton	99-1801 JRT/FLN
Mel Gregory Peacock	99-1802 JRT/FLN

Plaintiffs,

v.

ORDER

Prudential Ins. Co.,

Defendant.

Theresa Freeman, Esq., & Robin Williams, Esq., for Plaintiffs.
Neil Abramson, Esq., Charles Lentz, Esq., & Lloyd Chin, Esq., for Defendant.

THIS MATTER came before the undersigned Magistrate Judge on September 10, 2001, on Plaintiffs' Motion to Compel Responses to Discovery Requests [## 47, 48, 33, 33, 31, 24, 26, 25, 25, 25] respectively.

Based upon the files, records, and proceedings herein, it is hereby **ORDERED** that Plaintiffs' Motion to Compel Responses to Discovery Requests [## 47, 48, 33, 33, 31, 24, 26, 25, 25, 25] is **GRANTED in part** and **DENIED in part** as follows:

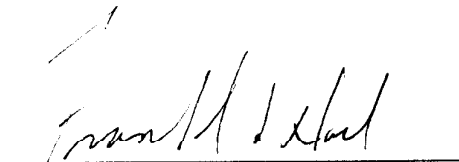
1. Insofar as the Motion seeks to compel the production of "retention boxes" sought by Plaintiffs, Defendant shall produce one "retention box" for each named employee to be randomly selected by Plaintiffs' counsel. Within ten days thereafter, Plaintiffs' counsel shall notify the Court in writing of the documents found in the sample

FILED SEP 19 2001
RICHARD D. SLETTEN, CLERK
JUDGMENT ENTD. _____
DEPUTY CLERK _____

"retention box" and set forth some description why said documents are likely to lead to the further discovery of admissible evidence. The Court shall then determine whether all the "retention boxes" for that particular employee must be produced;

2. Insofar as the Motion seeks to compel the production of personnel files of: (1) four human resources employees (Kathy Cole, Patricia Rodberg-Picken, Valida Huff and Sharon Taylor); (2) three members of management for ADR (Frank Marino, Marylou Richie and Art Ryan); (3) three members of management for agents (Harry Axford; Ed Dare; and Steve Kattke); and (4) in-house counsel who were involved in investigating Plaintiffs' complaints (Susan Sangello; Eric Schwimmer and Mark Faber), it is **GRANTED**;
3. Insofar as the Motion seeks to compel the production of documents relating to lawsuits, administrative charges and/or informal complaints addressing employment discrimination, retaliation, whistle-blowing at any of Defendant's Minnesota locations from 1997 to the present, it is **GRANTED**;
4. Insofar as the Motion seeks to compel the production of documents relating to lawsuits, administrative charges and/or informal complaints addressing illegal practices directed to policyholders it is **DENIED**;
5. Insofar as the Motion seeks to compel answers to Interrogatory No. 6, it is **GRANTED**. Defendant shall identify each and every person who assisted in investigating allegations raised by Plaintiffs as part of Judge Wolin's investigation into the ADR process.
6. All requests for fees and costs incurred in either bringing or defending against this Motion are **DENIED**.

DATED: Sept 19, 2001.


FRANKLIN L. NOEL
Chief Magistrate Judge

**Please forward this announcement to the
recipient of this fax.**



**The United States District Court,
District of Minnesota announces
two new programs!**

Expedited Trials –The Court will begin offering parties an opportunity to participate in a program called Expedited Trials beginning July 2, 2001. This voluntary program offers an alternative to traditional case processing by allowing for a shorter time period from filing to disposition. Discovery and motion practice will be sharply limited as a means to reduce time and expense. Procedural rules are on the Court's website at www.mnd.uscourts.gov. If you would like additional information about the Expedited Trials Program, contact one of our clerk's offices at the phone numbers listed below.

Courtroom Technology – Phase II – In June 2001, the District of Minnesota began upgrading, installing, and enhancing the technology available to counsel in the courtroom. The project will continue through early fall and will ultimately upgrade all Article III Judge courtrooms in St. Paul and Minneapolis. To assist counsel with this transition, the District Court is offering a hands-on class, worth one hour of CLE credit at both courthouses. Classes will be held over the lunch hour. Course registration can be done by visiting www.mnd.uscourts.gov or by calling Kristine at 612-664-5125.

**For additional information on either program
please visit our website at www.mnd.uscourts.gov.**

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(651) 848-1100

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300 South Fourth Street
Minneapolis, MN 55415
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417 U. S. Courthouse
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(218) 529-3500